

The Georgia Board of Nursing met July 18-19, 2012 in Room 104 of the Professional Licensing Boards Division of the Secretary of State located at 237 Coliseum Drive, Macon, Georgia 31217.

WEDNESDAY, JULY 18, 2012

MEMBERS PRESENT

Barry Cranfill, RN, CRNA, MHS, MBA, FAAPM, President
Anita Hufft, PhD., RN
Katherine Mann, RN, CRNA
Nancy Barton, MS, RN
Tammy Burdeaux, RN
Ashley Barnett, Consumer

MEMBERS ABSENT

Mary Chatman, Ph.D. (c), RN, Vice President
Brenda Rowe, JD, MN, RN

STAFF PRESENT

James Cleghorn, Executive Director
Janet Jackson, Assistant Attorney General, JD
Adrienne Price, RN, MSN, Nursing Consultant - Legal/Discipline

PERSONAL APPEARANCES

AM-RNI120661

Cranfill called the meeting to order at 10:00 a.m. on Wednesday, July 18, 2012. The Board worked as a committee to conduct disciplinary matters until a quorum was present.

Kathy Mann entered the meeting at 10:05 a.m.

Anita Hufft entered the meeting at 1:00 p.m.

EXECUTIVE SESSION

Barton moved, Burdeaux seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. §§ 43-1-2(k); 43-1-19(h), 43-26-5(c) and 43-26-11, to deliberate on applications and enforcement matters and to receive information on applications, investigative reports and pending cases. The motion passed unanimously.

At the conclusion of the Executive Session on Wednesday, July 18, 2012, Cranfill declared the meeting to be "open" pursuant to the Open and Public Meeting Act, O.C.G.A. §§ 50-14-1 et seq.

LEGAL SERVICES REPORT

(RNI – Registered Nurse Investigative Case Number)

RNI120429 – Hufft moved to close case. Barton seconded the motion and it carried unanimously.

RNI120597 – Burdeaux moved to have Board staff notify the respondent by certified mail that the nurse must respond to the consent agreement by August 10, 2012 or application will be denied upon expiration of temporary permit. Barnett seconded the motion and it carried unanimously.

RNI120443 - Barnett moved to deny request to change consent order to private and also moved to amend the previous board motion from the May 16-17, 2012 board meeting to exclude psychotherapy. Mann seconded the motion and it carried unanimously.

RNI120649 – Burdeaux moved to rescind previous board motion from the May 16-17, 2012 board meeting and refer to Legal Services for a hearing or private consent order to include probation for two (2) years, substance abuse stipulations, narcotic restrictions for two (2) years and quarterly reports (employer, aftercare, personal and psychotherapy). Barton seconded the motion and it carried unanimously.

RNI100429 – Barton moved to rescind previous board motion from March 21-22, 2012 board meeting and refer to Legal Services for a hearing or private consent order to include four (4) years probation, substance abuse stipulations, narcotic restrictions for two (2) years and quarterly reports (employer, personal and aftercare). The licensee may petition for termination of probation after two (2) years and may maintain current position at Emory University Hospital with Surgical Staff, Inc. Barnett seconded the motion and it carried unanimously.

APPLICATION REVIEWS AND APPROVAL OF LICENSURE

(RNI – Registered Nurse Investigative Case Number)

Applicant S.M., #1310895 – Hufft moved to license upon successful completion of a 320 hour preceptorship. Mann seconded the motion and it carried unanimously.

Applicant N.O., #1728619 – Hufft moved to write applicant a letter to have a voluntary outpatient MPE as a condition of the Board's consideration of the application. Results are to be reviewed by the Cognizant Board member and the Legal/Discipline Nurse Consultant. If warranted, refer to Legal Services or Attorney General's office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Mann seconded the motion and it carried unanimously.

Applicant C.W., #1731200 – Hufft moved to close the case and proceed with licensure with a Letter of Concern re: Criminal. Barton seconded the motion and it carried unanimously.

Applicant S.H., #1744302 – Hufft moved to close the case upon successful completion of criminal probation and proceed with licensure with a Letter of Concern re: Alcohol. Barnett seconded the motion and it carried unanimously.

Applicant C.H., #1744362 – Hufft moved to license upon successful completion of a 480 hour preceptorship. Burdeaux seconded the motion and it carried unanimously.

Applicant L.H., #1747647 – Hufft moved to close the case with a Letter of Concern re: Alcohol and proceed with licensure upon successful completion of criminal probation. Barnett seconded the motion and it carried unanimously.

Applicant S.H., #1753374 – Hufft moved to license upon successful completion of a 480 hour preceptorship. Mann seconded the motion and it carried unanimously.

Applicant A.Y., #1755943 – Hufft moved to write applicant a letter to have a voluntary outpatient MPE as a condition of the Board's consideration of the application. Results are to be reviewed by the Cognizant Board member and the Legal/Discipline Nurse Consultant. If warranted, refer to Legal Services or Attorney General's office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Barton seconded the motion and it carried unanimously.

Applicant E.N., #1760171 – Mann moved to refer to Legal Services for a hearing or public consent agreement to track criminal probation or close the case and proceed with licensure with a Letter of Concern re: Alcohol upon successful completion of criminal probation. Hufft seconded the motion and it carried unanimously.

Applicant J.G., #1764926 – Hufft moved to table case pending resolution of criminal case and, if required, refer to Legal Services for a hearing or public consent agreement to track criminal probation. Barton seconded the motion and it carried unanimously.

Applicant B.A., #1765335 – Mann moved to approve reentry provided that preceptor is a registered nurse. Burdeaux seconded the motion and it carried unanimously.

Applicant T.H., #1765939 – Hufft moved to table case pending resolution of criminal case and, if required, refer to Legal Services for a hearing or public consent agreement to track criminal probation if resolution is probation. Barnett seconded the motion and it carried unanimously.

Applicant J.P., #1766447 – Mann moved to close the case with a strong Letter of Concern re: Alcohol and Drugs and proceed with licensure by examination. Barton seconded the motion and it carried unanimously.

Applicant R.W., #1766647 – Mann moved to table case pending resolution of criminal case. Also moved to write applicant a letter to have a voluntary outpatient MPE as a condition of the Board's consideration of the application. Results are to be reviewed by the Cognizant Board member and the Legal/Discipline Nurse Consultant. If warranted, refer to Legal Services or Attorney General's office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Refer to Legal Services for a hearing or public consent agreement to track criminal probation if resolution is probation. Barnett seconded the motion and it carried unanimously.

Applicant A.T., #1767343 – Mann moved to close the case with a Letter of Concern re: Alcohol and proceed with licensure by examination. Hufft seconded the motion and it carried unanimously.

Applicant S.N., #1767662 – Mann moved to deny reinstatement of license. Barton seconded the motion and it carried unanimously.

Applicant M.R., #1768204 – Mann moved to write applicant a letter to have a voluntary outpatient MPE as a condition of the Board's consideration of the application. Results are to be reviewed by the Cognizant Board member and the Legal/Discipline Nurse Consultant. If warranted, refer to Legal Services or Attorney General's office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Barnett seconded the motion and it carried unanimously.

Applicant R.N., #1768637 – Mann moved to request applicant to come for a personal appearance before the board. Burdeaux seconded the motion and it carried unanimously.

Applicant E.Y., #1768936 – Mann moved to deny reinstatement of license. Barnett seconded the motion and it carried unanimously.

Applicant D.P., #1775841 – Barton moved to refer to Legal Services for a hearing or public consent agreement to include a fine of \$500 for failure to disclose arrests/disciplinary action. Hufft seconded the motion and it carried unanimously.

Applicant R.G., #1762867 – Mann moved to close the case with a Letter of Concern re: Alcohol and Drugs and proceed with licensure by reinstatement. Burdeaux seconded the motion and it carried unanimously.

Applicant J.P., #1747653 – Barton moved to refer to Legal Services for a hearing or public consent agreement to include four (4) years probation, substance abuse stipulations, narcotic restrictions for two (2) years and quarterly reports (employer, personal and aftercare). Hufft seconded the motion and it carried unanimously.

Applicant L.H., #1738083 – Mann moved to deny reinstatement of license. Barnett seconded the motion and it carried unanimously.

Applicant R.E., #1731412 – Barton moved to proceed with licensure by reinstatement. Burdeaux seconded the motion and it carried unanimously.

COMPLAINT INVESTIGATION REVIEW

(RNI – Registered Nurse Investigative Case Number)

RNI120721 – Burdeaux moved to refer to Legal Services for a hearing or private consent order to include four (4) years probation and quarterly reports (employer, aftercare and personal). Respondent must report to the board any subsequent disciplinary actions from South Carolina Board of Nursing within 10 days of resolution. The Board reserves the right to seek additional action based other disciplinary actions. Hufft seconded the motion and it carried unanimously.

RNI120670 – Burdeaux moved to close the case with a Letter of Concern re: Patient Assessment. Barton seconded the motion and it carried unanimously.

RNI120639 – Barton moved to close the case. Mann seconded the motion and it carried unanimously.

MENTAL PHYSICAL EXAMINATION RESULTS

(RNI – Registered Nurse Investigative Case Number)

RNI111092 – Burdeaux moved to refer to Legal Services for a public consent order to include four (4) years probation, substance abuse stipulations, two (2) years narcotic restrictions, quarterly reports (employer, aftercare and personal) and a fine of \$500 for failure to disclose. Mann seconded the motion and it carried unanimously.

RNI120502 – Barnett moved to refer to Legal Services for a hearing or private consent order to include four (4) years probation, quarterly reports (employer, aftercare, personal and psychotherapy) and a fine of \$500 for failure to disclose. Hufft seconded the motion and it carried unanimously.

RNI120573 – Burdeaux moved to refer to the Attorney General's office for a voluntary surrender; or a hearing or public consent order to include four (4) years probation, substance abuse stipulations, two (2) years narcotic restrictions, quarterly reports (employer and personal) and a fine of \$500 for diversion. Respondent must complete a course in Medication Administration, Professional Accountability and Documentation. Barton seconded the motion and it carried unanimously.

RNI120628 – Barnett moved to refer to Legal Services for a public consent agreement for reinstatement of licensure to include a Board approved nursing re-entry course with no narcotic restrictions during re-entry. Upon the applicant's submission to the board of evidence of successful completion of such course prior to the expiration of the temporary permit, the Board shall issue to the applicant a permanent license followed by probation for four (4) years, substance abuse stipulations, narcotic restrictions for two (2) years upon issuance of license, and quarterly reports (employer, aftercare and personal). If the applicant should fail to enroll in a re-entry course within two months of the effective date of this consent agreement, no temporary permit will be issued to the applicant and the applicant's application for reinstatement shall be deemed withdrawn. Mann seconded the motion and it carried unanimously.

REQUEST TO LIFT NARCOTIC RESTRICTIONS

(RNI – Registered Nurse Investigative Case Number)

RNI100864 – Barnett moved to lift narcotic restrictions and restore prescriptive authority. Mann seconded the motion and it carried unanimously.

REQUEST FOR RESTORATION

(RNI – Registered Nurse Investigative Case Number)

RNI120418 – Barton moved to deny request. Respondent must seek restoration of licensure in North Carolina and complete a psychosexual MPE as a condition of restoration of licensure in Georgia. Hufft seconded the motion and it carried unanimously.

ACTION IN ANOTHER JURISDICTION

(RNI – Registered Nurse Investigative Case Number)

RNI110527 – Barnett moved to allow license to lapse for failure to complete the renewal application process. Mann seconded the motion and it carried unanimously.

2012-2014 RENEWAL APPLICATION REVIEW

(RNI – Registered Nurse Investigative Case Number)

RNI120386 – Hufft moved to refer to Legal Services for a public consent order to track criminal probation. Barton seconded the motion and it carried unanimously.

SELF REPORT

(RNI – Registered Nurse Investigative Case Number)

RNI120557 – Barnett moved to refer to Legal Services for a public consent order to track criminal probation. Licensee must provide a certified copy of the final court disposition of the case within ten (10) days of adjudication. Mann seconded the motion and it carried unanimously.

RNI120442 – Burdeaux moved to refer to Legal Services for a hearing or private consent order to include probation for four (4) years and quarterly reports (employer, aftercare, personal and psychotherapy). Hufft seconded the motion and it carried unanimously.

RNI120231 – Barnett moved to refer to Legal Services for a hearing or public consent order to include probation for four (4) years, substance abuse stipulations, two (2) years narcotic restrictions, quarterly reports (employer, aftercare and personal) and a fine of \$500 for diversion. Mann seconded the motion and it carried unanimously.

RNI120576 – Barton moved to refer to Legal Services for a hearing or private consent order to include probation for four (4) years, substance abuse stipulations, and quarterly reports (employer, aftercare, personal and psychotherapy). Hufft seconded the motion and it carried unanimously.

RNI120611 – Barton moved to refer to Legal Services for a hearing or private consent order to include probation for four (4) years, substance abuse stipulations, two (2) narcotic restrictions and quarterly reports (employer, aftercare, personal and psychotherapy). Mann seconded the motion and it carried unanimously.

PETITION TO RESTORE LICENSE TO PROBATION

(RNI – Registered Nurse Investigative Case Number)

RNI110622 – Barnett moved to refer to Legal Services for a hearing or public consent order to include probation for four (4) years, substance abuse stipulations, two (2) years narcotic restrictions and quarterly reports (employer, aftercare and personal). Burdeaux seconded the motion and it carried unanimously.

REQUEST FOR EARLY TERMINATION

(RNI – Registered Nurse Investigative Case Number)

RNI110966 – Hufft moved to grant early termination of probation. Mann seconded the motion and it carried unanimously.

VIOLATION OF CONSENT ORDER

(RNI – Registered Nurse Investigative Case Number)

RNI050006 – Burdeaux moved to refer to Legal Services for an amended consent order to include extension of probation for one (1) year until September 2014. Any future violation will result in indefinite suspension. Mann seconded the motion and it carried unanimously.

RNI050269 – Hufft moved to refer to Legal Services for a hearing or public consent order to include probation for two (2) years, substance abuse stipulations, one (1) year narcotic restrictions, quarterly reports (employer, aftercare and personal) and a fine of \$500 for failure to comply with initial order. Mann seconded the motion and it carried unanimously.

RNI080632 – Barnett moved to refer to the Attorney General's office for an indefinite suspension. Barton seconded the motion and it carried unanimously.

RNI090230 – Hufft moved to refer to the Attorney General's office for an indefinite suspension. Respondent must have MPE completed within thirty (30) days of petition for restoration of license. Mann seconded the motion and it carried unanimously.

RNI100006 – Barnett moved to refer to the Attorney General's office for voluntary surrender or indefinite suspension. Barton seconded the motion and it carried unanimously.

RNI100073 – Hufft moved to send a cautionary letter and to grant permission to reduce to the monthly payments from \$100 to \$50. Mann seconded the motion and it carried unanimously.

RNI100171 – Barton moved to refer to Legal Services for an amended consent order to include probation for four (4) years, substance abuse stipulations, two (2) years narcotic restrictions, quarterly reports (employer, aftercare and personal) and a fine of \$500 for violation of previous order. Barnett seconded the motion and it carried unanimously.

RNI100731 – Hufft moved to refer to the Attorney General's office for an indefinite suspension. Respondent must submit MPE results or treatment records for review with the petition for restoration of license. Barnett seconded the motion and it carried unanimously.

COMPLAINT INVESTIGATION REVIEW

(RNI – Registered Nurse Investigative Case Number)

RNI110211 – Barnett moved to close the case with no action. Hufft seconded the motion and it carried unanimously.

RNI120679 – Hufft moved to order licensee to have an outpatient MPE. Results are to be reviewed by the Cognizant Board member and the Legal/Discipline Nurse Consultant. If warranted, refer to the Legal Services or Attorney General's office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Mann seconded the motion and it carried unanimously.

RNI120691 – Barnett moved to refer Legal Services to order licensee to have an outpatient MPE to include an assessment by a pain management specialist. Results are to be reviewed by the Cognizant Board member and the Legal/Discipline Nurse Consultant. If warranted, refer to the Legal Services or Attorney General's office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Hufft seconded the motion and it carried unanimously.

RNI120665 – Barton moved to verify identity of respondent by requesting pictures from Kentucky, Tennessee and Colorado. If determined to be the same person, refer to the Attorney General's office for an indefinite suspension. Hufft seconded the motion and it carried unanimously.

REQUEST TO LIFT SUSPENSION & RESTORE LICENSE

(RNI – Registered Nurse Investigative Case Number)

RNI120135 – Hufft moved to deny restoration of licensure. Respondent may petition for restoration of licensure after twelve (12) months of continuous documented sobriety and an MPE to be completed within thirty (30) days of petition. Barton seconded the motion and it carried unanimously.

MENTAL PHYSICAL EXAMINATION RESULTS

(RNI – Registered Nurse Investigative Case Number)

RNI120713 – Mann moved to deny petition for restoration of licensure. Respondent may submit a new petition for restoration of licensure after three (3) months of documented continuous sobriety. Upon review of documentation, refer to Legal Services for a hearing or public consent agreement for reinstatement to include probation for four (4) years with substance abuse stipulations, narcotic restrictions for two (2) years, quarterly reports (employer, aftercare and personal) and a fine of \$500 for failure to disclose and \$500 for second consent order. Barnett seconded the motion and it carried unanimously.

REQUEST FOR CONSIDERATION

(RNI – Registered Nurse Investigative Case Number)

RNI090387 – Barton moved to accept current use of Tramadol based on diagnosis of Ankylosing Spondylitis as diagnosed by treating physician. If removed from aftercare, respondent may do individual therapy. Hufft seconded the motion and it carried unanimously.

VIOLATION OF CONSENT ORDER

(RNI – Registered Nurse Investigative Case Number)

RNI110267 – Mann moved to refer to the Attorney General's office for an indefinite suspension. Respondent must have MPE completed within thirty (30) days of petition for restoration of license. Barnett seconded the motion and it carried unanimously.

RNI110274 – Barton moved to deny restoration of licensure. Respondent may petition for restoration of licensure after twelve (12) months of continuous documented sobriety. Hufft seconded the motion and it carried unanimously.

RNI120124 – Mann moved to send a cautionary letter. Any further violations will result in additional action. Hufft seconded the motion and it carried unanimously.

COMPLAINT INVESTIGATION REVIEW

(RNI – Registered Nurse Investigative Case Number)

RNI120581 – Barnett moved to refer to Legal Services for a hearing or public consent order to include probation for four (4) years, substance abuse stipulations, two (2) years narcotic restrictions and quarterly reports (employer, aftercare and personal). Burdeaux seconded the motion and it carried unanimously.

MENTAL PHYSICAL EXAMINATION RESULTS

(RNI – Registered Nurse Investigative Case Number)

RNI100272 – Burdeaux moved to refer to Legal Services for a private reprimand with courses in Medication Administration and Scope of Practice. The respondent may request a personal appearance before the Board. Barnett seconded the motion and it carried unanimously.

INVESTIGATIVE INTERVIEWS

(RNI – Registered Nurse Investigative Case Number)

RNI090501 – Barton moved to rescind the previous board motion from the November 16-17, 2011 board meeting and refer to the Attorney General's office for a hearing or private consent order to include probation for four (4) years, quarterly reports (employer, personal and aftercare) and drug screens three (3) times a month. Hufft seconded the motion and it carried unanimously.

RNI111013 – Hufft moved to rescind the previous board motion from the February 8, 2012 teleconference board meeting and refer to Attorney General's office for a hearing or public reprimand to include a fine of \$500 for failure to disclose work history on application. Barton seconded the motion and it carried unanimously.

RNI11075 – Barton moved to rescind approve request to work at current company in current position and require monthly drug screens. Barnett seconded the motion and it carried unanimously.

PERSONAL APPEARANCES

(RNI=Registered Nurse Investigative Case Number)

RNI120537 – Mann moved to close the case with a Letter of Concern re: Criminal. Hufft seconded the motion and it carried unanimously.

INVESTIGATIONS

(RNI – Registered Nurse Investigative Case Number)

RNI100855 – Barnett moved to refer to Legal Services for a public consent order requiring courses in Patient Assessment and Professional Accountability. Hufft seconded the motion and it carried unanimously.

RNI120232 – Mann moved to refer to Legal Services for a hearing or private consent order to include probation for four (4) years, substance abuse stipulations, two (2) years narcotic restrictions and quarterly reports (employer, aftercare and personal). Barton seconded the motion and it carried unanimously.

RNI120328 – Barton moved to refer to Legal Services for a hearing or public consent order to include probation for four (4) years, substance abuse stipulations, two (2) years narcotic restrictions, quarterly reports (employer, aftercare, personal and psychotherapy) and a fine of \$500 for diversion. Burdeaux seconded the motion and it carried unanimously.

RNI120335 – Mann moved to refer to the Attorney General's office for voluntary surrender or indefinite suspension. Barnett seconded the motion and it carried with Cranfill abstaining.

RNI120411 – Mann moved to refer to Legal Services for a hearing or public consent order to include probation for four (4) years, substance abuse stipulations, two (2) years narcotic restrictions, quarterly reports (employer, aftercare, personal and psychotherapy) and a fine of \$500 for diversion. Respondent must submit final disposition of criminal case within 10 days of adjudication. The Board reserves the right to take additional action based on the resolution of the criminal case. Hufft seconded the motion and it carried unanimously.

RNI120679 – Barton moved to order licensee to have an outpatient MPE. Results are to be reviewed by the Cognizant Board member and the Legal/Discipline Nurse Consultant. If warranted, refer to the Legal Services or Attorney General's office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Barnett seconded the motion and it carried unanimously.

RNI120584 – Mann moved to refer to Legal Services for an amended consent order to include probation for four (4) years, substance abuse stipulations, two (2) years narcotic restrictions, quarterly reports (employer, aftercare and personal) and a fine of \$500 for diversion. Barton seconded the motion and it carried unanimously.

RNI120641 – Barnett moved to deny restoration of licensure. Respondent may petition for restoration of licensure after six (6) months of documented continuous sobriety and an MPE to be completed within thirty (30) days of petition. Hufft seconded the motion and it carried unanimously.

RNI120653 – Mann moved to refer to Legal Services for a private consent order requiring courses in Health Information Portability and Accountability Act (HIPAA) and Patient Rights. Hufft seconded the motion and it carried unanimously.

RNI120700 – Barton moved to refer to Legal Services for a hearing or public consent order to include probation for four (4) years, substance abuse stipulations, two (2) years narcotic restrictions and suspension of prescriptive authority, quarterly reports (employer, aftercare, personal and psychotherapy) and a fine of \$500 for diversion. Barnett seconded the motion and it carried unanimously.

RNI120675 – Mann moved to refer to the Attorney General's office for a hearing or Public Interim Suspension Order requiring the respondent to cease practice until he has entered treatment and submitted the treatment records for review by the Board to be used in consideration for further action. Barton seconded the motion and it carried unanimously.

RNI120450 – Barnett moved to close the case. Burdeaux seconded the motion and it carried unanimously.

RNI120450 – Barnett moved to refer to the Attorney General's office Medicaid Fraud Unit for criminal prosecution and refer to investigations to issue a Cease and Desist order for unlicensed practice. Barton seconded the motion and it carried unanimously.

RNI120450 – Barnett moved to schedule respondent for an Investigative Interview to determine whether licensee knowingly allowed unlicensed practice by subordinate. Place a hold on the renewal. Hufft seconded the motion and it carried unanimously.

RNI090163 – Mann moved to refer to Investigations to issue a Cease and Desist order and refer the case back to the LPN Board to request reconsideration of action on the LPN for practicing beyond her scope. Hufft seconded the motion and it carried unanimously.

RNI111058 – Barnett moved to close the case. Mann seconded the motion and it carried with Barton abstaining.

RNI120513 – Hufft moved to refer to Legal Services for a public consent order to include probation for four (4) years, substance abuse stipulations, two (2) years narcotic restrictions, quarterly reports (employer, aftercare and personal) and a fine of \$500 for diversion. Mann seconded the motion and it carried unanimously.

RNI120604 – Burdeaux moved to refer to Legal Services for a public consent order to include probation for four (4) years, substance abuse stipulations, two (2) years narcotic restrictions, quarterly reports (employer, aftercare, personal and psychotherapy) and a fine of \$500 for diversion. Barnett seconded the motion and it carried unanimously.

RNI120622 – Hufft moved to authorize cognizant to review MPE and move to standard public consent order based on MPE. If MPE has not been received by mid-August, review at a teleconference for a referral to Attorney General's office for voluntary surrender or indefinite suspension. Barton seconded the motion and it carried unanimously.

RNI120689 – Barnett moved to refer to the Attorney General's office for indefinite suspension based on repeated diversion activity, substance abuse and arrest. Respondent may petition for restoration of licensure after twelve (12) months of continuous documented sobriety and an MPE to be completed within thirty (30) days of petition. Barton seconded the motion and it carried unanimously.

RNI110560 – Hufft moved to refer to the Attorney General's office for indefinite suspension of license and authorization and report action to certifying body, DEA and Medical Board. Respondent may petition for restoration of licensure after twelve (12) months. Mann seconded the motion and it carried unanimously.

RNI130016 – Burdeaux moved to order licensee to have an expedited outpatient MPE. Results are to be reviewed by the Cognizant Board member and the Legal/Discipline Nurse Consultant. If warranted, refer to Legal Services or Attorney General's office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Barton seconded the motion and it carried unanimously.

RNI120756 – Mann moved to refer to Legal Services for a hearing or public consent order to include probation for four (4) years, substance abuse stipulations, two (2) years narcotic restrictions, quarterly reports (employer, aftercare, personal and psychotherapy) and a fine of \$500 for diversion. Respondent must submit final disposition of criminal case within 10 days of adjudication. The Board reserves the right to take additional action based on the resolution of the criminal case. Hufft seconded the motion and it carried unanimously.

RNI120235 – Barnett moved to close the case and deny attorney request for records. Burdeaux seconded the motion and it carried unanimously.

RNI120558 – Mann moved to refer to Legal Services for a hearing or public consent order to include probation for four (4) years, substance abuse stipulations, two (2) years narcotic restrictions, quarterly reports (employer, aftercare, personal and psychotherapy) and a fine of \$500 for diversion. Barton seconded the motion and it carried unanimously.

RNI120664 – Burdeaux moved to refer to the Attorney General's office for an indefinite suspension. Respondent must have MPE completed within thirty (30) days of petition for restoration of license. Mann seconded the motion and it carried unanimously.

Cranfill adjourned the meeting at 6:10 p.m.

THURSDAY, JULY 19, 2012

MEMBERS PRESENT

Barry Cranfill, RN, CRNA, MHS, MBA, FAAPM, President
Anita Hufft, PhD., RN
Katherine Mann, RN, CRNA
Nancy Barton, MS, RN
Ashley Barnett, Consumer

MEMBERS ABSENT

Mary Chatman, Ph.D. (c), RN, Vice President
Brenda Rowe, JD, MN, RN

STAFF PRESENT

James Cleghorn, Executive Director
Susan Anderson, RN, MSN, Nursing Consultant-Education
Adrienne Price, RN, MSN, Nursing Consultant – Legal/Discipline
Janet Jackson, Assistant Attorney General, JD

Cranfill called the meeting to order at 8:30 a.m. on Thursday, July 19, 2012. A quorum to conduct disciplinary matters was present.

VISITORS PRESENT (During Executive Session, Visitors are excused unless scheduled for personal appearances)

Anne Fortenberry	Nehoraa Alvatre	Laurie Nagelsmith	Brad Reynolds	Rebecca Maddox	Carol McManus
Debbie Hatmaker	Judy Malachowski	Mattie Buchannon	Schvon Bussey	Kortney Wilson	Vivia Fowler
Melinda Shiflet	Karen Waters	Nancy Morris	Naley Narzella	Shawn White	Melinda Hartley
Kara Kovan	Jean Nuskitn	Gayla Love	Rob Fortson	Strena Fritz	Jedyle Lott
Lisa LaPree	Rex Bishop				

EXECUTIVE SESSION

Barnett moved, Barton seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. §§ 43-1-2(k); 43-1-19(h), 43-26-5(c) and 43-26-11, to deliberate on applications and enforcement matters and to receive information on applications, investigative reports and pending cases. The motion passed unanimously.

At the conclusion of the Executive Session on Thursday, July 19, 2012, Cranfill declared the meeting to be “open” pursuant to the Open and Public Meeting Act, O.C.G.A. §§ 50-14-1 et seq.

ATTORNEY GENERAL’S OFFICE

(RNI – Registered Nurse Investigative Case Number)

RNI120191 – Barton moved to deny application for reinstatement of licensure. Barnett seconded the motion and it carried unanimously.

LEGAL/DISCIPLINE COGNIZANT CASES REPORT

(RNI=Registered Nurse Investigative Case Number)

Barnett moved to ratify the Cognizant’s recommendations and to close the following complaints:

RNI110130	RNI110934	RNI110112	RNI110166	RNI110800	RNI100490	RNI100214
RNI090441	RNI100841	RNI100157	RNI100154	RNI100872	RNI100857	RNI110385
RNI090171	RNI100834	RNI090247	RNI090404	RNI100855	RNI100087	RNI110305
RNI090241	RNI110422	RNI100098	RNI100669	RNI110098	RNI090434	RNI090526

RNI100127	RNI100649	RNI080743	RNI080600	RNI120217	RNI080743	RNI110557
RNI110926	RNI111114	RNI120443	RNI110309	RNI110724	RNI100348	RNI100878
RNI100758	RNI100181	RNI100553	RNI100880	RNI100885	RNI100668	RNI100107
RNI110520	RNI100854	RNI120397	RNI120708	RNI100073	RNI100392	RNI120749
RNI120740	RNI120751	RNI120753	RNI100264	RNI110388	RNI100953	RNI120115
RNI111004	RNI111107	RNI120583	RNI120748	RNI120443		

Mann seconded the motion and it carried unanimously.

LEGAL/DISCIPLINE COGNIZANT FAILURE TO DISCLOSE CASES REPORT

(RNI=Registered Nurse Investigative Case Number)

Mann moved to ratify the Cognizants' recommendations to accept Private Consent Agreements for licensure with a fine of \$500 for failure to disclose arrests on application. The executive director may sign with express permission of the Board President. Hufft seconded the motion and it carried unanimously.

APP#1761074 APP#1768907

APPLICATION REVIEWS AND APPROVAL OF LICENSURE

(RNI – Registered Nurse Investigative Case Number)

Applicant E.G., #1292844 – Barton moved to accept consent agreement. Hufft seconded the motion and it carried unanimously.

APPLICATION REVIEWS AND APPROVAL OF LICENSURE

(RNI – Registered Nurse Investigative Case Number)

Barton moved to accept the Cognizant Report regarding unlicensed/unauthorized practice and to refer identified cases to Legal Services for issuance of a Private Consent Order. Barnett seconded the motion and it carried unanimously.

APP#1767659 APP#1765573 APP#1762691 APP#1755356 APP#1770150 APP#1762947 APP#1768337
APP#1766881 APP#1760879 APP#1729708 APP#1724070 APP#1759436

EDUCATIONAL COGNIZANT PRECEPTORSHIP APPLICATION REPORT

(RNI=Registered Nurse Investigative Case Number)

Mann moved to ratify the Cognizants' recommendations regarding preceptorship applications. Barton seconded the motion and it carried unanimously.

	RECOMMENDATION FOR BOARD ACTION
App. #1750747	Approve and issue temp permit.
App. #1262552	Approve and issue temp permit.
App. #1739153	Approve and issue temp permit.
App. #1776480	Approve and issue temp permit.

DEVELOPING PROGRAMS

Albany Technical College

The Board reviewed Report I submitted by Albany Technical College. Barton moved to approve the following:

1. Based upon compliance with Rules 410-4-.01(4), accept Report I submitted by Albany Technical College in support of the development and implementation of its proposed Associate of Science in Nursing Program.
2. Based upon compliance with Rule 410-3-.02(1)(b), grant Initial Approval to Albany Technical College for the implementation of its proposed Associate of Science in Nursing Program.
3. One electronic copy and one paper copy of Report II must be submitted to the board office no later than February 12, 2013 to be reviewed at the March 2013 board meeting. [Rule 410-4-.01(5)]

Barnett seconded the motion and it carried unanimously.

Georgia Highlands College

The Board reviewed Report I submitted by Georgia Highlands College. Burdeaux moved to approve the following:

1. Based upon compliance with Rules 410-4-.01(4), accept Report I submitted by Georgia Highlands College in support of the development and implementation of its proposed RN-BSN Program.
2. Based upon compliance with Rule 410-3-.02(1)(b), grant Initial Approval to Georgia Highlands College for the implementation of its proposed RN-BSN Program.
3. One electronic copy and one paper copy of Report II must be submitted to the board office no later than February 12, 2013 to be reviewed at the March 2013 board meeting. [Rule 410-4-.01(5)]

Hufft seconded the motion and it carried unanimously.

North Georgia Technical College

The Board reviewed Report I submitted by North Georgia Technical College. Mann moved to approve the following:

4. Based upon compliance with Rules 410-4-.01(4), accept Report I submitted by North Georgia Technical College in support of the development and implementation of its proposed Associate of Science in Nursing Program.
5. Based upon compliance with Rule 410-3-.02(1)(b), grant Initial Approval to North Georgia Technical College for the implementation of its proposed Associate of Science in Nursing Program.
6. One electronic copy and one paper copy of Report II must be submitted to the board office no later than February 12, 2013 to be reviewed at the March 2013 board meeting. [Rule 410-4-.01(5)]

Barton seconded the motion and it carried unanimously.

Truett-McConnell College

The Board reviewed Report I submitted by Truett-McConnell College. Hufft moved to approve the following:

1. Based upon compliance with Rules 410-4-.01(4), accept Report I submitted by Truett-McConnell College in support of the development and implementation of its proposed Bachelor of Science in Nursing Program.
2. Based upon compliance with Rule 410-3-.02(1)(b), grant Initial Approval to Truett-McConnell College for the implementation of its proposed Bachelor of Science in Nursing Program.
3. One electronic copy and one paper copy of Report II must be submitted to the board office no later than February 12, 2013 to be reviewed at the March 2013 board meeting. [Rule 410-4-.01(5)]

Barton seconded the motion and it carried unanimously.

Wesleyan College

The Board reviewed Report I submitted by Wesleyan College. Barnett moved to approve the following:

4. Based upon compliance with Rules 410-4-.01(4), accept Report I submitted by Wesleyan College in support of the development and implementation of its proposed Bachelor of Science in Nursing Program.
5. Based upon compliance with Rule 410-3-.02(1)(b), grant Initial Approval to Wesleyan College for the implementation of its proposed Bachelor of Science in Nursing Program.
6. One electronic copy and one paper copy of Report II must be submitted to the board office no later than February 12, 2013 to be reviewed at the March 2013 board meeting. [Rule 410-4-.01(5)]

Mann seconded the motion and it carried unanimously.

EDUCATION COMMITTEE REPORT

Nursing Education Program Development

Committee Recommendations:

- That the Board adjust the developmental time period from twenty-two (22) months to at least twelve (12) months.
- That a site visit be made prior to the Board granting initial approval. The purpose of this site visit is to ensure that physical resources required by Board rules are present.
-

Nursing Education Program Site Visit Schedule

Committee Recommendations:

- That routine site visits be scheduled in conjunction with the program's national nursing accreditation regularly scheduled routine site visits.
- That a program without national nursing accreditation be visited every four years.
- That a program reports to the Board any official communication regarding the nursing education program from accrediting agencies. That these reports be submitted to the Board within thirty days from the date of receipt.
-

Nursing Education Program Approval

Committee Recommendations:

- That nursing education program approval be granted for the same period of time as the program's national nursing accreditation approval.
- That a program without national nursing accreditation be considered for approval every four years.

Barton moved to accept all recommendations in the Education Committee report and direct staff to begin drafting the appropriate rule changes. Mann seconded the motion and it carried unanimously.

EXECUTIVE DIRECTOR'S REPORT

Mr. Cleghorn reported on the following administrative items:

- Status report on applications and complaints/compliance for May 2012 and June 2012
- Strategic Planning
- Complaint Closure Letters
- Self Reporting Process

CORRESPONDENCE – MARTHA CARR

Barnett moved to respond by referring the licensee to the decision tree and Food and Drug Administration guidelines. Barton seconded the motion and it carried with Hufft abstaining.

CORRESPONDENCE – NANCY FLANAGAN

Barton moved to refer to the decision tree and the Association of Operating Room Nurses. Should the respondent choose not to follow the standards, the respondent is responsible for the outcomes. No rules or policies specifically addressing this issue. Refer to Conditions of Participation. Mann seconded the motion and it carried with Hufft abstaining.

CORRESPONDENCE – PALMETTO ADDICTION RECOVERY

Barton moved to acknowledge receipt of the correspondence. Mann seconded the motion and it carried with Hufft abstaining.

CORRESPONDENCE – GEORGIA ASSOCIATION OF NURSE ANESTHETISTS

Barnett moved to develop a letter to be approved at the August teleconference in support of this rule revision. Burdeaux seconded the motion and it carried with Hufft abstaining.

APPROVAL OF BOARD MINUTES

Barnett moved to approve the May 16-17, 2012 Board Meeting Minutes with corrections noted. Barton seconded the motion and it carried unanimously.

Hufft moved to approve the May 16-17, 2012 Board Meeting Executive Session Minutes. Burdeaux seconded the motion and it carried unanimously.

Hufft moved to approve the June 11, 2012 Board Meeting Minutes. Mann seconded the motion and it carried unanimously.

Mann moved to approve the June 11, 2012 Board Meeting Executive Session Minutes. Barnett seconded the motion and it carried unanimously.

APPLICATION REVIEWS AND APPROVAL OF LICENSURE

Hufft moved, Rowe seconded and the Board voted to approve applications for licensure and advanced practice authorization for the months of May 2012 through June 2012 that were determined, pursuant to Board approved guidelines, to have met licensure/authorization requirements.

CONSENT AGREEMENTS/ORDERS – ATTORNEY GENERAL'S OFFICE

(RNI – Registered Nurse Investigative Case Number)

Barnett moved to accept the Attorney General's status and activity report and to accept the following consent agreements/orders as prepared by the Attorney General's office:

Steptoe, Natasha
RNI120246

Nicholas, Suzanne
RNI120227

Scott, Lori A.

Mann seconded the motion and it carried unanimously.

RNI110358 – Barton moved to accept recommendation from the Attorney General's office to settle the case by public consent order to include probation for four (4) years, substance abuse stipulations, two (2) years narcotic restrictions, amending the language in the Finding of Facts to indicate psychological issues rather than bipolar disorder, a fine of \$500 for the failure to disclose and the approval for the respondent to maintain her current employment with Georgia Power. The signed consent order is to be accepted upon receipt and the Executive Director may sign with the express permission of the Board President. Burdeaux seconded the motion and it carried with Hufft abstaining.

RNI120394 – Barton moved to refer to the Attorney General's Office to contact the ADA to determine the status of the case and when it will be presented to the grand jury as well as to discuss the case with the section leader regarding the best way to proceed. Direct staff to refer the case for Peer Review preferably by a previous Board Member and send to investigations to request a DOL search on the respondent. Deny the attorney's request for a copy of the complaint file. Mann seconded the motion and it carried unanimously.

RNI111030 – Hufft moved to close the case. Mann seconded the motion and it carried unanimously.

RNI111109 – Barton moved to accept public consent order not to practice. Mann seconded the motion and it carried unanimously.

RNI120352 – Barnett moved to refer to the Attorney General's office for a public consent order mirroring the Texas board order and requiring a course in Ethics and Professional Accountability. Barton seconded the motion and it carried unanimously.

RNI120429 – Burdeaux moved to rescind the previous motion from the May 16-17 board meeting and refer to the Attorney General's office for a private consent order to include probation for four (4) years, substance abuse stipulations, two (2) years narcotic restrictions and quarterly reports (employer, aftercare and personal). Hufft seconded the motion and it carried unanimously.

RNI080356 – Hufft moved to rescind the previous motion from the September 14-16, 2012 board meeting and close the case with a cautionary letter regarding compliance with an order of the Board. Mann seconded the motion and it carried unanimously.

RNI080725/RNI110402 – Burdeaux moved to table until the August teleconference while awaiting additional information. Barton seconded the motion and it carried unanimously.

RNI120464/RNI120575 – Barnett moved to refer to the Attorney General's office for indefinite suspension. Respondent may petition for restoration of licensure after twelve (12) months of documented continuous sobriety and treatment. Hufft seconded the motion and it carried unanimously.

RNI100086 – Barton moved to refer to the Attorney General's office for indefinite suspension of license. Respondent may petition for restoration of licensure after twelve (12) months of continuous documented treatment and the submission of the results of a Psychosexual MPE which was completed within thirty (30) days of the petition for restoration. Barnett seconded the motion and it carried unanimously.

RNI070138 – Mann moved to accept to rescind the previous motion from the May 12-14, 2010 board meeting and close the case. Hufft seconded the motion and it carried unanimously.

RNI070235 – Barton moved to close the case. Mann seconded the motion and it carried unanimously.

RNI070240 – Barnett moved to uphold previous motion from the March 16-17, 2011 board meeting for an Indefinite Suspension or Voluntary Surrender. Barton seconded the motion and it carried with Hufft abstaining.

There being no further business, the meeting adjourned July 19, 2012 at 6:25 p.m.


Barry Cranfill, **President**


James Cleghorn, **Executive Director**